

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

<div>SECURITIES INVESTOR PROTECTION CORPORATION,</div> <div>Plaintiff-Applicant,</div> <div>v.</div> <div>BERNARD L. MADOFF INVESTMENT SECURITIES LLC,</div> <div>Defendant.</div>	<div>Adv. Pro. No. 08-01789 (SMB)</div> <div>SIPA LIQUIDATION</div> <div>(Substantively Consolidated)</div>
<div>In re:</div> <div>BERNARD L. MADOFF,</div> <div>Debtor.</div>	
<div>IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff,</div> <div>Plaintiff,</div> <div>v.</div> <div>SAGE ASSOCIATES, <i>et al.</i>,</div> <div>Defendants.</div>	<div>Adv. Pro. No. 10-04362 (SMB)</div>
<div>IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff,</div> <div>Plaintiff,</div> <div>v.</div> <div>SAGE REALTY, <i>et al.</i>,</div> <div>Defendants.</div>	<div>Adv. Pro. No. 10-04400 (SMB)</div>

**DECLARATION OF ANDREW B. KRATENSTEIN IN SUPPORT OF DEFENDANTS'
MOTION TO WITHDRAW THE REFERENCE**

ANDREW B. KRATENSTEIN, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a partner of the firm of McDermott Will & Emery LLP, attorneys for defendants Defendants Sage Associates, Sage Realty, Malcolm H. Sage, Martin A. Sage, and Ann M. Sage Passer (collectively, “Defendants”) in the above-captioned matters. I am familiar with the facts of this case and submit this declaration in support of Defendants motion to withdraw the reference.
2. Attached hereto as Exhibit A is a true and complete copy the Amended Complaint in *Picard v. Sage Associates, et al.*, Adv. Pro. No. 10-04362 (SMB).
3. Attached hereto as Exhibit B is a true and complete copy the Amended Complaint in *Picard v. Sage Realty, et al.*, Adv. Pro. No. 10-04400 (SMB).
4. Attached hereto as Exhibit C is a true and complete copy of Judge Stuart M. Bernstein’s Order Granting in Part and Denying in Part Defendants’ Motions to Dismiss, dated July 16, 2015.
5. Attached hereto as Exhibit D is a true and complete copy of Defendants’ Answer in *Picard v. Sage Associates, et al.*, Adv. Pro. No. 10-04362 (SMB).
6. Attached hereto as Exhibit E is a true and complete copy Defendants’ Answer in *Picard v. Sage Realty, et al.*, Adv. Pro. No. 10-04400 (SMB).
7. Attached hereto as Exhibit F is a true and complete copy of a press release dated August 21, 2020, entitled “Distinguished United States Bankruptcy Judge to Retire From Southern District Bench”.

Dated: November 30, 2020
New York, New York

/s/Andrew B. Kratenstein
Andrew B. Kratenstein